



Journal of the House

State of Indiana

121st General Assembly

Second Regular Session

Sixth Day

Monday Afternoon

January 13, 2020

The invocation was offered by Pastor Dan Lash of Weston Street Bible Church in Rome City, a guest of Representative Abbott.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Dvorak.

The Speaker ordered the roll of the House to be called:

Abbott	Jackson
Austin	Jordan
Aylesworth	Judy
Bacon	Karickhoff
Baird	Kirchhofer
Barrett	Klinker
Bartels	Lauer
Bartlett	Lehe
Bauer	Lehman
Beck	Leonard
Behning	Lindauer
Borders	Lucas
Boy	Lyness
T. Brown	Macer
Burton	Manning
Campbell	May
Candelaria Reardon	Mayfield
Carbaugh	McNamara
Cherry	Miller
Chyung	Moed
Clere	Morris
Cook	Morrison
Davisson	Moseley
Deal	Negele
DeLaney	Nisly
DeVon	Pfaff
Dvorak	Pierce
Eberhart	Porter
Ellington	Prescott
Engleman	Pressel
Errington	Pryor
Fleming	Saunders
Forestal	Schaibley
Frye	Shackleford
GiaQuinta	Sherman
Goodin	Smaltz
Goodrich	V. Smith
Gutwein	Soliday
Hamilton	Speedy
Harris	Steuerwald
Hatcher	Stutzman
Hatfield	Sullivan
Heaton	Summers
Heine	Thompson
Hostettler	Torr
Huston	VanNatter

Vermilion
Wesco
Wolkins
Wright

J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 15: 100 present; 0 excused. The Speaker announced a quorum in attendance. [NOTE: □ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, January 14, 2020, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1022, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1022 as introduced.)

Committee Vote: Yeas 13, Nays 0.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1096, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1096 as introduced.)

Committee Vote: Yeas 13, Nays 0.

TORR, Chair

Report adopted.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill Lists 8 and 9 were read a first time by title and referred to the respective committees:

HB 1070 — Sullivan, Pressel

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1181 — Cook

Committee on Commerce, Small Business and Economic Development

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

HB 1182 — Clere

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1183 — Ziemke

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1184 — Bartels

Committee on Employment, Labor and Pensions

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1185 — Bartels

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1186 — Bartels

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1187 — Bartels

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

HB 1188 — Bartels

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1189 — Mayfield

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1190 — Lehman

Committee on Utilities, Energy and Telecommunications

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

HB 1191 — Clere

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1192 — Bartlett, Cook, Schaibley, Campbell

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

HB 1194 — Young J, Lehe, Cherry, Moed

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1196 — Judy

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1197 — Abbott

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1198 — Abbott, Frye R, Bacon

Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1199 — Clere

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1200 — Abbott, Campbell

Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1202 — Cherry

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1203 — Cherry

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1204 — Cherry

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1205 — Cherry

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1206 — Cherry

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1208 — Aylesworth

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1209 — Kirchhofer

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1210 — Zent

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1212 —withdrawn**HB 1213** — Beck

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1218 — Manning

Committee on Utilities, Energy and Telecommunications

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

HB 1224 — McNamara

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1246 — Sullivan

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1265 — Jackson

Committee on Environmental Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1309 — Wolkins

Committee on Environmental Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1332 — Lehman

Committee on Employment, Labor and Pensions

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1347 — Gutwein

Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1372 — Carbaugh

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1214 — Beck

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1215 — Beck

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1216 — Beck

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1217 — Lauer

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1219 — Shackelford

Committee on Insurance

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1220 — Wesco

Committee on Education

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1222 — Wesco

Committee on Elections and Apportionment

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1223 — Wesco

Committee on Elections and Apportionment

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1225 — McNamara

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1226 — Hamilton, Manning

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1228 — Hamilton

Committee on Utilities, Energy and Telecommunications

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

HB 1230 — Baird

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1231 — Baird, Austin

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1232 — Baird

Statutory Committee on Interstate and International Cooperation

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1233 — Baird

Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1234 — Karickhoff

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1235 — Karickhoff

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1236 — Karickhoff

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1237 — Karickhoff

Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

HB 1242 — Porter

Committee on Family, Children and Human Affairs

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1243 — Vermilion, Kirchhofer

Committee on Public Health

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1244 — Vermilion, Leonard

Committee on Employment, Labor and Pensions

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1245 — Sullivan, Bacon, McNamara
Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1247 — Morris, Judy
Committee on Public Policy

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1253 — Goodin
Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1254 — Moed
Committee on Natural Resources

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1255 — Moed
Committee on Roads and Transportation

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

HB 1256 — Moed
Committee on Ways and Means

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1258 — Deal
Committee on Veterans Affairs and Public Safety

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1261 — May
Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1262 — May
Committee on Judiciary

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

RESOLUTIONS ON FIRST READING

House Resolution 2

Representatives Macer and Leonard introduced House Resolution 2:

A HOUSE RESOLUTION remembering Joseph Dean Breedlove.

Whereas, Mr. Joseph Dean "Joe" Breedlove was born on December 20, 1958, in Lebanon to Paul W. and Anne Breedlove;

Whereas, Joe displayed his trademark "go getter" attitude from a young age at Lebanon High School where he ran a newspaper route through Northfield before school, played on the school football team, broke a school record in swimming, helped his grandfather maintain the school corporation, and participated in school functions as a self-proclaimed drummer and proud cheerleader;

Whereas, Joe was hired by the Boone County Rural Electric Municipal Cooperative upon graduation from high school in

1977 and was later initiated into the International Brotherhood of Electrical Workers (IBEW), Local 481;

Whereas, Joe found his calling in 1991 when he took on the role of business referral agent for IBEW, Local 481 serving in the union and labor movement;

Whereas, Joe was appointed to the Indiana State AFL-CIO as the secretary treasurer in 2003 where he organized numerous union events at the statehouse and always fought to make the voices of Hoosier workers heard;

Whereas, Joe will be remembered by friends and loved ones as an incredible father, loving son, protective brother, and hilarious friend; and

Whereas, Joe is survived by his parents, Paul and Anne; daughter, Whitney; son, Garrett; granddaughter, Jalynn; sisters, Terena and Paula, the mother of his children, Debbie; and special friend, Linda: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives recognizes Mr. Joseph Dean Breedlove for his many contributions to his community as a Hoosier and as the secretary treasurer of the Indiana State AFL-CIO.

SECTION 2. That the Principle Clerk of the House of Representatives shall transmit copies of this resolution to the family of Mr. Joseph Breedlove and to the office of State Representative Karlee Macer for distribution.

The resolution was read a first time and adopted by voice vote.

HOUSE BILLS ON SECOND READING

House Bill 1014

Representative Saunders called down House Bill 1014 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1047

Representative Steuerwald called down House Bill 1047 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1067

Representative Zent called down House Bill 1067 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1001

Representative DeVon called down Engrossed House Bill 1001 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 16: yeas 100, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Raatz, Bray, Kruse and Rogers.

Engrossed House Bill 1002

Representative Cook called down Engrossed House Bill 1002 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 17: yeas 100, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Raatz.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 3:08 p.m. with the Speaker in the Chair.

Representatives Cook and Goodin, who had been present are now excused.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1007

Representative T. Brown called down Engrossed House Bill 1007 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 18: yeas 77, nays 21. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Mishler.

HOUSE BILLS ON SECOND READING

House Bill 1027

Representative Engleman called down House Bill 1027 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1027-3)

Mr. Speaker: I move that House Bill 1027 be amended to read as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 5.

Page 6, delete lines 1 through 32.

Page 10, delete lines 9 through 42, begin a new paragraph and insert:

"SECTION 5. IC 36-6-5-1, AS AMENDED BY P.L.167-2015, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Subject to subsection (g), before 2009, a township assessor shall be elected under IC 3-10-2-13 by the voters of each township:

(1) having:

(A) a population of more than eight thousand (8,000); or

(B) an elected township assessor or the authority to elect a township assessor before January 1, 1979; and

(2) in which the number of parcels of real property on January 1, 2008, is at least fifteen thousand (15,000).

(b) Subject to subsection (g), before 2009, a township assessor shall be elected under IC 3-10-2-14 (repealed effective July 1, 2008) in each township:

(1) having a population of more than five thousand (5,000) but not more than eight thousand (8,000), if:

(A) the legislative body of the township, by resolution, declares that the office of township assessor is necessary; and

(B) the resolution is filed with the county election board not later than the first date that a declaration of candidacy may be filed under IC 3-8-2; and

(2) in which the number of parcels of real property on January 1, 2008, is at least fifteen thousand (15,000).

(c) Subject to subsection (g), a township government that is created by merger under IC 36-6-1.5 shall elect only one (1) township assessor under this section.

(d) Subject to subsection (g), ~~after 2008~~ a township assessor shall be elected under IC 3-10-2-13 only by the voters of each township in which:

(1) the number of parcels of real property on January 1, 2008, is at least fifteen thousand (15,000); and

(2) the transfer to the county assessor of the assessment duties prescribed by IC 6-1.1 is disapproved in the referendum under ~~IC 36-2-15~~: **IC 36-2-15-8 (before its repeal) or IC 36-6-5-5.**

(e) The township assessor must reside within the township as provided in Article 6, Section 6 of the Constitution of the State of Indiana. The assessor forfeits office if the assessor ceases to be a resident of the township.

(f) The term of office of a township assessor is four (4) years, beginning January 1 after election and continuing until a successor is elected and qualified. However, the term of office of a township assessor elected at a general election in which no other township officer is elected ends on December 31 after the next election in which any other township officer is elected.

(g) To be eligible to serve as a township assessor, an individual must meet the following qualifications before taking office:

(1) If the individual has never held the office of township assessor, the individual must have attained a level two assessor-appraiser certification under IC 6-1.1-35.5.

(2) If the individual has held the office of township assessor, the individual must have attained a level three assessor-appraiser certification under IC 6-1.1-35.5.

(h) After June 30, 2008, the county assessor shall perform the assessment duties prescribed by IC 6-1.1 in a township in which the number of parcels of real property on January 1, 2008, is less than fifteen thousand (15,000)."

Delete page 11.

Page 12, delete lines 1 through 24, begin a new paragraph and insert:

"SECTION 6. IC 36-6-5-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 5. (a) This section applies only to a township that has a township assessor.**

(b) The circuit court clerk of each county that has a township to which this section applies shall place the following public question on the ballot in that township at the 2020 general election:

"Shall the assessing duties of the elected township assessor of _____ (insert the name of the township) Township of _____ (insert the name of the county) County be transferred to the county assessor?"

(c) IC 3, except where inconsistent with this section, applies to a public question placed on the ballot under this section. A public question under this section must be certified in accordance with IC 3-10-9-3 and shall be placed on the ballot in accordance with IC 3-10-9.

(d) This section expires July 1, 2024."

Page 12, line 25, delete "IC 36-6-5-5" and insert "IC 36-6-5-6".

Page 12, line 27, delete "UPON PASSAGE]:" and insert "JULY 1, 2020]:".

Page 12, line 27, delete "Sec. 5." and insert "Sec. 6.".

Page 12, line 27, after "(a)" insert **"This section applies to a township only if the voters of the township have approved a public question under section 5 of this chapter."**

(b)".

Page 12, line 28, delete "," and insert **"before January 1, 2023,"**.

Page 12, line 42, delete "(b)" and insert "(c)".

Page 13, line 3, delete "(a)" and insert "(b)".

Page 13, line 9, delete "(c)" and insert "(d)".

Page 13, line 16, delete "IC 36-6-5-6" and insert "IC 36-6-5-7".

Page 13, line 18, delete "Sec. 6." and insert **"Sec. 7."**

Page 13, line 18, delete "the office of a township" and insert **"a township only if the voters of the township have approved a public question under section 5 of this chapter."**

Page 13, delete line 19.

Page 14, line 5, delete "IC 36-6-5-7" and insert "IC 36-6-5-8".

Page 14, line 7, delete "Sec. 7." and insert **"Sec. 8."**

Page 14, line 7, after "(a)" insert **"This section applies to a township only if the voters of the township have approved a public question under section 5 of this chapter."**

(b)".

Page 14, line 8, delete "6" and insert "7".

Page 14, line 15, delete "(b)" and insert "(c)". Page 14, delete lines 24 through 34.

Page 16, delete lines 35 through 42.

Delete page 17.

Renumber all SECTIONS consecutively.

(Reference is to HB 1027 as printed January 10, 2020.)

MOSELEY

Motion failed.

HOUSE MOTION (Amendment 1027-1)

Mr. Speaker: I move that House Bill 1027 be amended to read as follows:

Replace the effective dates in SECTIONS 1 through 21 with "[EFFECTIVE UPON PASSAGE]".

Page 1, delete lines 1 through 17.

Delete pages 2 through 5.

Page 6, delete lines 1 through 32, begin a new paragraph and insert:

"SECTION 1. IC 3-13-10-3, AS AMENDED BY P.L.119-2005, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. ~~(a) This section applies to a vacancy in the office of township assessor not covered by section 1 of this chapter.~~

(b) (a) This subsection applies to a vacancy in the office of township assessor not covered by section 1 of this chapter.

A vacancy shall be filled by the county assessor, subject to the approval of the department of local government finance. Except as provided in subsection (c), the county assessor shall make the appointment not later than thirty (30) days after the vacancy occurs. If the vacancy occurred because the elected township assessor failed to qualify or was removed, the person who is appointed must be of the same political party as the elected township assessor.

(c) (b) This subsection applies to a vacancy in the office of township assessor not covered by section 1 of this chapter.

If a vacancy exists because of the death of the township assessor, the county assessor shall make the appointment required by subsection (b) not later than thirty (30) days after the county assessor receives notice of the death under IC 5-8-6. The county assessor may not fill the vacancy as required by

subsection (b) until the county assessor receives notice of the death under IC 5-8-6.

(c) This subsection applies to a vacancy in the office of township assessor under IC 36-6-5-8. Notwithstanding section 1 of this chapter or any other law, if the office of township assessor becomes vacant, all of the following apply:

(1) The vacancy may not be filled.

(2) The office of township assessor is abolished in that township, as provided in IC 36-6-5-8.

(3) The county assessor of the county in which the township is located shall assume the duties of the township assessor as provided in IC 36-6-5-8."

Page 7, delete lines 39 through 42, begin a new paragraph and insert:

"SECTION 4. IC 6-1.1-18.5-4.5, AS AMENDED BY P.L.1-2010, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4.5. The department of local government finance shall adjust the maximum permissible ad valorem tax levy of each county and township to reflect any transfer of duties between assessors under IC 36-2-15-5 or ~~IC 36-6-5-2 (repealed)~~; IC 36-6-5."

Delete pages 8 through 13.

Page 14, delete lines 1 through 34, begin a new paragraph and insert:

"SECTION 5. IC 36-6-5-1, AS AMENDED BY P.L.167-2015, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) Subject to subsection (g), before 2009, a township assessor shall be elected under IC 3-10-2-13 by the voters of each township:

(1) having:

(A) a population of more than eight thousand (8,000); or

(B) an elected township assessor or the authority to elect a township assessor before January 1, 1979; and

(2) in which the number of parcels of real property on January 1, 2008, is at least fifteen thousand (15,000).

(b) Subject to subsection (g), before 2009, a township assessor shall be elected under IC 3-10-2-14 (repealed effective July 1, 2008) in each township:

(1) having a population of more than five thousand (5,000) but not more than eight thousand (8,000), if:

(A) the legislative body of the township, by resolution, declares that the office of township assessor is necessary; and

(B) the resolution is filed with the county election board not later than the first date that a declaration of candidacy may be filed under IC 3-8-2; and

(2) in which the number of parcels of real property on January 1, 2008, is at least fifteen thousand (15,000).

(c) Subject to subsection (g), a township government that is created by merger under IC 36-6-1.5 shall elect only one (1) township assessor under this section.

(d) Subject to subsection (g), ~~after 2008~~ a township assessor shall be elected under IC 3-10-2-13 only by the voters of each township in which:

(1) the number of parcels of real property on January 1, 2008, is at least fifteen thousand (15,000); and

(2) the transfer to the county assessor of the assessment duties prescribed by IC 6-1.1 is disapproved in the referendum under ~~IC 36-2-15~~ IC 36-2-15-8 (before its repeal) or IC 36-6-5.

(e) The township assessor must reside within the township as provided in Article 6, Section 6 of the Constitution of the State of Indiana. The assessor forfeits office if the assessor ceases to be a resident of the township.

(f) The term of office of a township assessor is four (4) years, beginning January 1 after election and continuing until a successor is elected and qualified. However, the term of office of a township assessor elected at a general election in which no

other township officer is elected ends on December 31 after the next election in which any other township officer is elected.

(g) To be eligible to serve as a township assessor, an individual must meet the following qualifications before taking office:

(1) If the individual has never held the office of township assessor, the individual must have attained a level two assessor-appraiser certification under IC 6-1.1-35.5.

(2) If the individual has held the office of township assessor, the individual must have attained a level three assessor-appraiser certification under IC 6-1.1-35.5.

(h) After June 30, 2008, the county assessor shall perform the assessment duties prescribed by IC 6-1.1 in a township in which the number of parcels of real property on January 1, 2008, is less than fifteen thousand (15,000).

SECTION 6. IC 36-6-5-3, AS AMENDED BY P.L.146-2008, SECTION 711, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) Except as provided in subsection (b), the assessor shall perform the duties prescribed by statute, including assessment duties prescribed by IC 6-1.1.

(b) Subsection (a) does not apply if the duties of the township assessor have been transferred to the county assessor as described in IC 6-1.1-1-24, or IC 36-2-15, or this chapter.

SECTION 7. IC 36-6-5-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) This section applies only to a county that:

(1) has at least one (1) township that has retained a township assessor; and

(2) adopts an ordinance under subsection (b).

(b) Beginning with the general election in November 2022 and every four (4) years thereafter, a county legislative body may adopt an ordinance to place on the ballot of the general election the question of whether to transfer the duties of all township assessors of townships within the county to the county assessor. The county legislative body must hold at least two (2) public meetings before the final vote on the adoption of the ordinance.

(c) If a county legislative body adopts an ordinance under subsection (b), the county election board shall place the following public question on the ballot at the next general election:

"Should the assessing duties of the elected township assessor in the Township(s) (insert the name of all townships within the county that have an office of township assessor) be transferred to the county assessor?"

(d) IC 3, except where inconsistent with this chapter, applies to a public question placed on the ballot under this chapter. A public question under this chapter must be certified in accordance with IC 3-10-9-3 and shall be placed on the ballot in accordance with IC 3-10-9.

(e) If a majority of the voters of a county who vote on the public question placed on the ballot under this section vote in favor of the public question, the following apply:

(1) The office of township assessor of each township in the county is abolished as provided in section 6 of this chapter.

(2) The powers, duties, property, assets, funds, and obligations of each office of township assessor in the county shall be transferred to the office of the county assessor as provided in section 6 of this chapter.

(f) If a majority of the voters of the county who vote on the public question placed on the ballot under this section vote "no" on the public question, the office of the township assessor of each township in the county is not abolished and the duties of each township assessor in the county are not transferred to the county assessor. A county in which a public question is defeated may adopt an ordinance to place

a public question on the ballot at a general election not earlier than fourth year after the year of the general election in which the public question was defeated.

SECTION 8. IC 36-6-5-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) On the January 1 following the general election in which the county voters vote in favor of the public question under section 5 of this chapter, the following occurs:

(1) Each office of township assessor within the county is abolished.

(2) All the powers and duties of each township assessor are transferred to the county assessor of the county in which the township is located.

(3) All of the following are transferred to the county assessor:

(A) All employment positions, as of the December 31 following the general election, of each township assessor in the county, including all of the following:

(i) The employment position of the township assessor.

(ii) The employment positions of all employees of the township assessor.

(B) The real and personal property of each township assessor in the county.

(C) The obligations outstanding on the December 31 following the general election of each township assessor in the county.

(D) The funds of each township assessor in the county.

(b) Before January 1 of the year following the year in which the general election is conducted in which a majority of county voters vote in favor of the public question, the county assessor shall interview, or give the opportunity to interview to, each individual who:

(1) is, as of October 1 of the year of the general election, an employee of a township assessor in the county; and

(2) applies before December 31 of the year of the general election for an employment position referred to in subsection (a)(3)(A).

(c) The county auditor shall transfer to the county assessor all revenue received by the township:

(1) after December 31 of the year of the general election in which a majority of county voters vote in favor of the public question; and

(2) for the purpose of carrying out property assessment duties in the amount determined by the county auditor.

(d) The term of office of both of the following expires on January 1 of the year following the general election at which a majority of the voters of a county who vote on the public question vote in favor of the public question:

(1) An incumbent who holds the office of township assessor on the December 31 following the general election at which a majority of the voters of a county who vote on the public question vote in favor of the public question; and

(2) A township-assessor elect, if an individual is elected to the office of township assessor at the same general election at which a majority of the voters of a county who vote on the public question vote in favor of the public question.

(e) An election for a township assessor shall not be held after the voters approve the public question placed on the ballot under this section.

(f) The abolition of the office of township assessor does not invalidate:

(1) any actions adopted or taken by the township assessor before; or

(2) any appointments made by the township assessor

before the date the office of township assessor is abolished.

(g) In a county in which the office of township assessor is abolished, after the dissolution date, any reference:

- (1) in the Indiana Code;
- (2) in the Indiana Administrative Code; or
- (3) in any resolution;

to the township assessor is considered a reference to the county assessor.

SECTION 9. IC 36-6-5-7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) Each county assessor and township assessor whose duties will be transferred under sections 6 and 8 of this chapter shall:

- (1) organize the records of the assessor's office relating to the assessment of tangible property in a manner prescribed by the department of local government finance; and
- (2) transfer the records as directed by the department of local government finance before January 1 of the year following the general election in which county voters vote in favor of the public question.

(b) The department of local government finance shall determine a procedure and schedule for the transfer of the records and operations. The assessors shall assist each other and coordinate their efforts to:

- (1) ensure an orderly transfer of all records; and
- (2) provide for an uninterrupted and professional transition of the functions of assessors consistent with this chapter, IC 6-1.1, and the directions of the department of local government finance.

SECTION 10. IC 36-6-5-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) This section applies if:

- (1) after the general election in which a majority of the voters of a county vote in favor of the public question under section 5 of this chapter; and
- (2) before January 1 of the year following the general election under subdivision (1);

the office of a township assessor becomes vacant.

(b) The following apply on the date the office of township assessor becomes vacant under subsection (a):

- (1) The office of township assessor for that township is abolished.
- (2) The county assessor of the county in which the township is located shall assume the duties of the township assessor.
- (3) All of the following are transferred to the county assessor:
 - (A) All employment positions of all employees of the township assessor.
 - (B) The real and personal property of the township assessor.
 - (C) The obligations outstanding on the date the office of township assessor becomes vacant.
 - (D) The funds of the township assessor.

(c) An employee of the office of the township assessor on the date the office of the township assessor becomes vacant is entitled to remain in the employee's position transferred under subsection (a) until the earlier of the following:

- (1) The employee resigns from the position.
- (2) The employee's employment is terminated. However, an employee described in this subsection may be terminated only in the same manner that other employees of the county assessor may be terminated.

(d) The county auditor shall transfer to the county assessor all revenue received by the township:

- (1) through the date that the office of the township assessor became vacant; and
- (2) for the purpose of carrying out property assessment

duties;

in the amount determined by the county auditor."

Page 17, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 14. [EFFECTIVE UPON PASSAGE] (a) The legislative services agency shall prepare, as directed by the legislative council, legislation for introduction in the 2021 regular session of the general assembly to organize and correct statutes affected by this act, if necessary.

(b) This SECTION expires July 1, 2022."

Renumber all SECTIONS consecutively.

(Reference is to HB 1027 as printed January 10, 2020.)

CAMPBELL

Upon request of Representatives GiaQuinta and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 19: yeas 38, nays 59. Motion failed. The bill was ordered engrossed.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Reassignments

The Speaker announced the reassignment of House Bill 1115 from the Committee on Public Health to the Committee on Employment, Labor and Pensions.

HOUSE MOTION

Mr. Speaker: I move that Representative V. Smith be added as coauthor of House Bill 1002.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Huston and Cherry be added as coauthors of House Bill 1007.

T. BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Cherry and Klinker be added as coauthors of House Bill 1014.

SAUNDERS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1018.

HARRIS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Candelaria Reardon be added as coauthor of House Bill 1020.

PIERCE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1033.

JACKSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Boy be added as coauthor of House Bill 1051.

SAUNDERS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Harris be added as coauthor of House Bill 1083.

CAMPBELL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bacon be added as coauthor of House Bill 1090.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Ellington be removed as coauthor of House Bill 1091 and Representatives Lindauer, Judy and Bartels be added as coauthor.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Sherman, Candelaria Reardon and Ellington be added as coauthors of House Bill 1095.

SULLIVAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Austin be added as coauthor of House Bill 1116.

SHACKLEFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as coauthor of House Bill 1126.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Fleming be added as coauthor of House Bill 1227.

HAMILTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Campbell be added as coauthor of House Bill 1228.

HAMILTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Steuerwald, DeLaney and Hatfield be added as coauthors of House Bill 1346.

FRYE

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Vermilion, the House adjourned at 3:48 p.m., this thirteenth day of January, 2020, until Tuesday, January 14, 2020, at 1:30 p.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives